

Before the Board of Zoning Adjustment, D. C.

Application No. 11874, of the Cosmos Club, pursuant to Section 8207.2 of the Zoning Regulations for a special exception to permit the establishment of accessory parking spaces as provided by Section 3104.45 of the Regulations at premises Hillyer Court, N.W. behind 2156 Florida Avenue, N. W. in the R-5-B district, known as Lots 45, 46, and 47, Square 66.

HEARING DATE: April 16, 1975

EXECUTIVE SESSION: April 22, 1975

FINDINGS OF FACT:

1. The subject property is an alley lot located in an R-5-B district, and is presently vacant and unimproved.
2. The subject property was formerly improved by a two story building which contained automobile parking spaces on the ground floor and an artist's studio on the second floor.
3. By BZA Order No. 6605, this Board granted the Cosmos Club permission to establish accessory parking spaces in the ground floor of the building formerly located on the subject property.
4. The applicant will comply with all of the requirements of Article 74 of the Zoning Regulations relating to parking lots as follows:
  - a. All areas devoted to driveways, access lanes, and parking areas will be paved with materials which form an all weather impervious surface.
  - b. The parking lot will be so designed that no vehicle or any part thereof will project over any lot line or building line.
  - c. No use will be conducted from or upon the premises and no structure will be erected or used upon the premises unless such use or structure is otherwise permitted in the R-5-B district.
  - d. No vehicular entrance or exit will be within twenty-five (25) feet of a street intersection.
  - e. Any lighting used to illuminate the parking lot will be so arranged that all direct rays of such lighting will be confined to the surface of the parking lot.
5. This application has been submitted to the Director, Department of Highways and Traffic for review and report, and the Department has indicated that it has no objection to the granting of this application.

6. The applicant meet the requirements of subparagraphs (c) and (d) of paragraph 3101.411 of the Zoning Regulations. By BZA Order No. 11746, this Board has granted the Cosmos Club permission to establish accessory parking on other property located in Square 66. In that Order, the Board made the following findings regarding the difficulty of locating accessory parking spaces on the same lot on which the Cosmos Club building is located:

"It is economically impracticable and unsafe to locate the parking spaces within the Cosmos Club building or on the same lot on which the Cosmos Club is located. The Cosmos Club is a four (4) story building approximately 85 years old. Together with its landscaping, it covers most of Lot 71. Applicant has located as many parking spaces as possible on Lot 71. However, because of the substantial improvements on the lot, applicant has no place in which to locate additional spaces which it requires thereon.

"As evidenced from the plan submitted with applicant's statement, Lot 71 also has an unusual shape which limits the space available thereon for accessory parking. The intersection of Florida and Massachusetts Avenues at the southwestern corner of Square 66 creates an acute angle at the southwestern portion of Lot 71. The intersection of Massachusetts Avenue and "Q" Street at the southeastern portion of property creates an obtuse angle. The lot line then intersects perpendicularly with the western lot line of lot 66, Square 66. This produces a trapezoidal shape for Lot 71, and renders much of its area not occupied by the principle building unusable for parking.

"Additionally, the intersection of Florida Avenue, Massachusetts Avenue, and "Q" Street creates an unsafe condition for the exit and entry of vehicles from and to the lot on which the Cosmos Club is located. The proposed parking is located north of the Cosmos Club lot, and automobiles parking thereon will not be required to negotiate that intersection."

7. To assure that parking is accomplished in an orderly manner, the Cosmos Club will provide attendant parking.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board concludes that the parking spaces will be so located and all facilities in relation thereto will be so designed that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions. The Cosmos Club has continuously used property in this Square in close proximity to the subject property without detriment to the surrounding neighborhood or to the intent and purposes of the Zoning Regulations and Maps. The subject property itself has been previously used for accessory parking by the Cosmos Club with permission of this Board under BZA Order No. 6605. This Order shall be subject to the following conditions:

1. An occupancy permit shall issue for a period of five (5) years subject to renewal in the discretion of the Board upon the filing of a new application in the manner prescribed by the Zoning Regulations.

2. The applicant shall meet all of the requirements of Article 74 of the Zoning Regulations as set forth in Finding of Fact No. 4, supra.

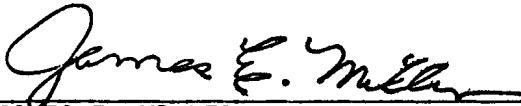
3. All parts of the Lot shall be kept free of refuse or debris.

ORDERED: That the above application be GRANTED.

VOTE: 4-0 (Mr. Harps not present.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: APR 23 1975

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.